

REMARKS

Applicants have studied the Office Action dated February 5, 2004 and have made amendments to the claims. No new matter has been added. It is submitted that the application, as amended, is in condition for allowance. By virtue of this amendment, claims 3-10 and 12-21 are pending. Claims 1-2 and 11 have been cancelled without prejudice or disclaimer. Claims 3, 4, 7, 9, 12 and 13 have been amended. Reconsideration and further examination of the pending claims in view of the above amendments and the following remarks is respectfully requested. In the Office Action, the Examiner:

- (4-5) Rejected claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by Yamada (US 6,166,733);
- (6-7) Rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Yamada (US 6,166,733) in view of Wang (US 6,028,603);
- (8) Indicated that claims 4-10 and 12-13 are objected to as being dependent upon a rejected based claims but would be allowable if rewritten independent form including all of the limitation of the base claim and any intervening claims; and
- (9) Indicated claims 14-21 are allowed.

Allowable Subject Matter

The Applicants would like to thank Examiner Lewis for indicating in this office action that claims 14-21 are allowed. Therefore, this amendment does not narrow the scope of claims 14 – 21 within the meaning of *Festo*¹. Further, as noted above, the Examiner indicated that claims 4-10 and 12-13 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in Independent form including all of the limitations of the base claim and any intervening claims.

¹ *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd.*, No. 00-1543 (122 S. Ct. 1831; 2002 U.S. LEXIS 3818; 62 U.S.P.Q.2D (BNA) 1705)(Decided May 28, 2002).

Although the Applicants respectfully disagree with the Examiner's rejection of independent claims 1 and 11, the Applicants have elected to cancel independent claims 1 and 11 solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals (PBG), 65 Fed. Reg. 54603 (September 8, 2000). Further, claims 4 and 12 as now presented contain the limitations of cancelled independent claims 1 and 11, respectively, from which they depended. However, the Applicants have further amended the language of claims 4 and 12, now re-written in independent form to recite:

a second scrollable region formed to illustrate an expansion of the subset of the complete data set as a geometric shape selected from the group of geometric shapes consisting of trapezoids, rhombuses, triangles and rectangles, wherein the geometric shape comprising a trapezoidal scroll area

These types of geometric shapes i.e. trapezoids, rhombuses, triangles and rectangles, are within the true scope and spirit of the present invention and not taught or suggested in the prior art. Further, as correctly stated in the Office Action at Page 5 (emphasis in the original): *"The prior art of record fails to teach, in combination with the remaining elements a trapezoidal scroll area with a series of separators defining a plurality of continuous regions with the trapezoidal scroll area"* as reference in claims 4 and 14.

For the foregoing reasons, the Applicants submit that claims 4 and 12, as rewritten, are in a condition for allowance which allowance is respectfully requested.

For the foregoing reasons, newly amended independent claims 4 and 12 distinguish over Yamada taken alone and/or in view of Wang. Claim 3, has been amended to depend from newly amended claim 4, so that now claims 3, 5-10 and 13 depend from independent claim 4. Claim 13 depends from independent claim 12. Since dependent claims contain all the limitations of the independent claims, claims 3, 5-10 and 13 distinguish over Yamada taken alone and/or in view of Wang, as well, and the Examiner's rejection should be withdrawn.

POU920000177US1

10 of 12

S/N 09/739,450

Conclusion

The remaining cited references have been reviewed and are not believed to affect the patentability of the claims as amended.

In this Response, Applicants have amended certain claims. In light of the Office Action, Applicants believe these amendments serve a useful clarification purpose, and are desirable for clarification purposes, independent of patentability. Accordingly, Applicants respectfully submit that the claim amendments do not limit the range of any permissible equivalents.

Applicants acknowledge the continuing duty of candor and good faith to disclosure of information known to be material to the examination of this application. In accordance with 37 CFR §§ 1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment is limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicants and their attorneys.

In view of the foregoing, Applicants respectfully submit that all of the grounds for rejection stated in the Examiner's Office Action have been overcome, and that all claims in the application are allowable. It is believed that the application is now in condition for allowance, which allowance is respectfully requested.

POU920000177US1


11 of 12

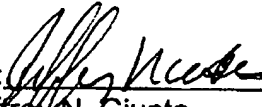
S/N 09/739,450

PLEASE CALL the undersigned if that would expedite the prosecution of this application or if the Examiner finds the application other than in condition for allowance.

Respectfully submitted,

Date: May 5, 2004

By: 
Jon Gibbons
Registration No. 37,333
Attorney for Applicants

By: 
Jeffrey N. Giunta
Registration No. 42,583
Attorney for Applicants

Customer No. 23334
FLEIT, KAIN, GIBBONS,
GUTMAN & BONGINI P.L.
One Boca Commerce Center, Suite 111
551 Northwest 77th Street
Boca Raton, FL 33487
Tel. (561) 989-9811
Fax (561) 989-9812

POU920000177US1

12 of 12

S/N 09/739,450